



**Advocates on behalf of Jews in Russia,  
Ukraine, the Baltic States & Eurasia**

**Testimony of Mark B. Levin, Executive Director**

**NCSJ: Advocates on behalf of Jews in Russia, Ukraine, the Baltic States & Eurasia**

**Before the**

**United States House of Representatives**

**Committee on Foreign Affairs**

**Subcommittees on Europe and on Terrorism, Nonproliferation and Trade Hearing**

**“A Relic of the Cold War: Is it Time to Repeal Jackson-Vanik for Russia?”**

**April 27, 2010**

Good morning, Mr. Chairman, and Members of the Subcommittees. My name is Mark Levin. I am the Executive Director of NCSJ: Advocates on behalf of Jews in Russia, Ukraine, the Baltic States & Eurasia, *i.e.*, the former Soviet Union (“FSU”). Since 1971, we have represented nearly 50 national Jewish organizations, including the Anti-Defamation League, B’nai B’rith International, Hadassah, and AIPAC, and hundreds of local Jewish community councils, committees, and federations across the country.

NCSJ represents the organized American Jewish community on issues affecting the Jewish minority in the FSU. My organization, formerly known as the National Conference on Soviet Jewry, changed its name several years ago to reflect the emergence of independent successor states. We evaluate graduation from the Jackson-Vanik Amendment for each successor state based on a set of country-specific issues, achievements, and challenges.<sup>1</sup>

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<sup>1</sup> For an assessment of these issues, a copy of NCSJ’s latest *Country Reports* is available upon request by contacting our office in Washington or online at [www.ncsj.org](http://www.ncsj.org).

For four decades, NCSJ has mobilized public opinion to oppose human rights violations in the FSU and the successor states, including such efforts as the 1987 March on Washington – “Freedom Sunday for Soviet Jews” – that drew an estimated 250,000. These issues continue to enjoy broad support and consensus in the American Jewish community.

This year marks the 30<sup>th</sup> anniversary of my professional involvement with NCSJ. I made my first trip to Russia in 1982, leading a Congressional delegation which met with Soviet officials and Jewish activists. I have worked on Jackson-Vanik issues since the start of my tenure with NCSJ; the cause of free emigration is both personally and professionally very important to me. It heartens me to see so many former Soviet bloc countries rejoin the community of free nations and graduate from Jackson-Vanik requirements in recent years, such as Ukraine in 2006, and Armenia, Georgia and Kyrgyzstan several years earlier.

Please allow me to express my gratitude to Members of the Subcommittees and the full Committee for their efforts over the years in support of the Jewish communities in the former Soviet Union. From its beginning, the Jackson-Vanik Amendment was and remains a bipartisan issue, and we wish to recognize the work of past and present Members of the Committee, and many other Members of Congress who worked hard to defend and promote human rights in the USSR and in its successor states, including Russia. Their public commitment to the right of emigration in particular was a beacon of hope to the refusenik community and to many others held captive in the USSR, and helped to bring about momentous changes that culminated in the fall of Communism in Russia nearly 20 years ago. Jackson-Vanik has had extraordinary success in securing freedom of emigration in the Soviet Union and its successor states in large part thanks to steadfast support from the U.S. Congress.

## The Position of NCSJ on Graduation of the Russian Federation

Mr. Chairman, NCSJ supports the graduation of the Russian Federation from Title IV of the Trade Act of 1974 – the Jackson-Vanik Amendment (“Jackson-Vanik” or “The Amendment,” 22 U.S.C. 2431).

NCSJ’s position on graduation is based on Russia’s historic and documented progress in two areas central to the intent and wording of Jackson-Vanik:

First, freedom of emigration for all Jews in accordance with the Helsinki Accords and established principles of international law, and

Second, for those who choose to remain in Russia, freedom to practice the religion of their forebears, to participate in the unique aspects of Jewish culture and language, unfettered by governmental interference.

Mr. Chairman, Russian Jewish life has flourished dramatically since the Soviet collapse in 1991. What has happened is nothing less than a historic rebirth of a people and their culture after decades of persecution.

The infrastructure of Jewish communal life is being restored at a rapid rate across Russia, with many large Russian cities now hosting one or more synagogues, schools, and community centers serving their Jewish communities. Today, numerous synagogues are restored, open, and practicing in Russia, as compared to just a neglected handful during the Soviet period. Tens of thousands of students – young and old – across the country now study their Jewish heritage in dozens of day schools. Welfare activities proceed generally uninhibited by official interference. Russian Jews everywhere are forming congregations and cultural groups, clubs and study circles.

Jewish communities are forming in places where we once believed Jewish life had been stamped out by Stalin and by Hitler. Jewish restaurants, cafés, and stores with kosher food are open and thriving in Moscow, St. Petersburg, and other large Russian cities. In fact, the very first kosher take-out restaurant opened in Moscow just this month.

Russia's strong relationship with Israel is partly a testament to over one million Russian-speaking émigrés who have become Israeli citizens since Jackson-Vanik was enacted. Russians and Israelis no longer need visas to visit each other's countries. Russia's Jewish minority is free to travel, emigrate, and build their communities as they see fit. Divided families are a thing of the past: Russian Jewish diasporas in Israel, the United States, Europe, and elsewhere are no longer cut off from family and friends, and Russian Jews routinely travel back and forth on tourist visits.

In prior testimony and position papers, NCSJ has noted the Russian government's evolving relationship with the Russian Jewish community after 1991. We have described in detail how Russia's political leaders have taken many concrete steps to demonstrate their support for the revival of Jewish life in Russia and state publicly their opposition to anti-Semitism. Our many trips to Russia have shown us first-hand the amazing rebirth of Russia's Jewish community, which now enjoys freedoms and opportunities undreamed of in Soviet times.

We note that the U.S. government has granted Russia an exemption from Jackson-Vanik's requirements by a Presidential compliance determination every year since 1994, based on an annual finding that Russia is in compliance with the freedom of emigration requirements of the Amendment. After 16 years of proven compliance, the time has come to graduate Russia from the Amendment once and for all.

Mr. Chairman, some have argued that Jackson-Vanik is a relic of the Cold War and is an impediment to normalizing U.S.-Russia trade relations. We do not agree with these views. In our view, the Amendment played a groundbreaking role in American diplomatic history, and has had a profound, historic effect on those Soviet and Russian citizens who struggled to reassert their Jewish identity either by emigration or the restoration of organized Jewish communal life.

In 2002, Michael McFaul – then Senior Associate at the Carnegie Endowment for International Peace, and now Special Assistant to the President for National Security Affairs and Senior Director of Russian and Eurasian Affairs at the National Security Council – called Jackson-Vanik “one of the most successful foreign policy ideas initiated by Congress during the Cold War. The Jackson-Vanik amendment was a moral act. It explicitly linked the Soviet Union’s trading status to levels of Jewish emigration.”

We see the Amendment’s commitment to promotion of core human freedoms as representing the best in America. Jackson-Vanik was crafted nearly 40 years ago for a very different world. However, its message and import remain just as valid today as in the 1970s. America remains committed to human rights as a central element of its foreign policy.

NCSJ believes that any legislation to graduate Russia or any other Soviet successor state from the Jackson-Vanik Amendment should include assurances from the respective governments regarding freedom of emigration. We have always regarded Russia’s treatment of its Jewish minority as a barometer of its potential to reenter the community of nations and to become integrated into the economic lifeline of world trade. History has shown again and again that a vibrant, vital Jewish community is a reflection of a healthy civil society.

NCSJ also believes that a strong bilateral political and economic relationship is in the strategic interest of both the United States and the Russian Federation. Over the years, NCSJ has

been an active participant in a broad-based coalition of business, public interest and ethnic organizations that supports U.S. foreign assistance as well as greater U.S. involvement in global trade.

### Background on Jackson-Vanik

Since before the enactment of the Trade Act of 1974, NCSJ has worked for free emigration from the Soviet Union and now from the successor states of the FSU. Numerous Congressional resolutions and Presidential statements confirm that Jackson-Vanik encouraged the Soviet Union and its successor states to liberalize emigration policy and, ultimately, to permit a mass emigration to Israel and other countries.

The Jackson-Vanik Amendment in Title IV of the Trade Act of 1974 (P.L. 93-618, 19 U.S.C. 2432) was enacted to “assure the continued dedication of the United States to fundamental human rights,” and in so doing sought to eliminate barriers to emigration, an internationally recognized human right. Congress has recognized that Jackson-Vanik has become an instrument of U.S. policy for assessing certain countries’ observance of basic human rights and the protection of minorities.

Writing in 1980, the late Senator Henry M. “Scoop” Jackson reiterated that this law “has long been the principal hope of thousands of Soviet Jews and others who have struggled to obtain visas so that they might emigrate to Israel, the United States, or other countries where they are free to live and worship according to their faith – a freedom denied them in the Soviet Union.” Now that this freedom has been granted in post-Soviet Russia, the time has come to develop a new framework that will continue to focus the attention of Congress and the Executive Branch on issues related to religious freedom, human rights, and democratization.

Beginning in 1989, the NCSJ Board of Governors endorsed annual waivers of the Jackson-Vanik Amendment for the Soviet Union and its successor states. This support was contingent on (1) the President's affirmation that waivers would encourage emigration and progress on other humanitarian issues; and (2) assurances concerning a commitment of further progress in connection with these concerns. Since 1994, NCSJ has supported semi-annual findings by the President that Russia is in compliance with Jackson-Vanik's emigration provisions and have demonstrated progress on protection of minority rights. We believe it is now time to graduate Russia and make Permanent Normal Trade Relations a constituent part of the larger U.S.-Russian relationship.

#### The Legacy of the Jackson-Vanik Amendment

In the thirty-five years since the adoption of Jackson-Vanik, its boldness has contributed to a sea change in how we approach human rights concerns, and provided redress to a particular human rights concern, freedom of emigration. In announcing his intent in 2009 to graduate Russia, President Barack Obama reinforced the continued importance of the Amendment and the U.S. government's continuing interest in Russian assurances on this freedom for Russian citizens.

Graduation will serve as formal recognition that the Russian Federation has satisfied Jackson-Vanik's requirements.

Our support for graduation does not vitiate our continuing concern with the progress of human rights in Russia in general and the welfare of the Jewish community in particular. We continue to monitor Russia's performance in these areas, and have expressed our concern to Russian authorities over persistent challenges such as:

- Both violent and non-violent anti-Semitic incidents continue across the country. Just last month, leaflets with photos of Russia's Chief Rabbi Berl Lazar were spread around the city of Tver, near Moscow, with the phrase: "Remember, our main enemy is the Jew. If you see him, beat him!" Synagogues, cemeteries, and memorials continue to be vandalized across Russia, and extremists continue to attack identifiably Jewish men and women in Moscow and elsewhere, often with inadequate legal consequences.
- The continued rise of ultraviolent nationalist, skinhead, and Neo-Nazi youth groups is a very troubling phenomenon, as is the Russian government's inconsistent prosecution of hate crimes committed by these groups.
- Certain aspects of the 1997 Law on Religion, which requires registration of religious organizations and communities with the authorities, continue to be a problem.

Graduation will not mean Russian anti-Semitism has disappeared, or that the Russian authorities are doing all they could to eradicate racism, xenophobia, and intolerance. It will mean that the United States and Russia have progressed in their relations to a point where they can continue to discuss and resolve their differences in a new framework.

Jackson-Vanik was instrumental in creating the opportunity for Jews and others throughout the former Soviet Union to move freely and to find new ways to express their identity. The United States' reset in relations with Russia offers similar potential for progress in ways we did not imagine just twenty years ago. Recent areas of support and cooperation between Russia and the United States are our collective struggle against international terror and the reduction of nuclear arsenals.

NCSJ and our member organizations are working to keep Russia's Jewish revival going. We want to ensure that the freedom to leave remains in place in Russia, and that those who



decide to stay can continue to build their communities. NCSJ looks forward to continuing to work with Congress on these vital issues.

Thank you, Mr. Chairman, for this opportunity to share the views of NCSJ and the organized American Jewish community on an issue which has been and continues to be of utmost importance to us, to Jewish communities everywhere, and to our brethren in the former Soviet Union.